

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LAURA M. PORTELA,  
Plaintiff

vs.

WAL-MART STORES, INC.,  
Defendant

C.A. NO. 05-10844 MEL

**PLAINTIFF'S MOTION TO AMEND COMPLAINT TO  
CORRECT MISNOMER OF PARTY  
(ASSENTED-TO)**

The plaintiff, Laura M. Portela, hereby moves to amend her Complaint to correct a misnomer of the party defendant, to substitute the correct name of the defendant, and to serve the Amended Complaint on the defendant. A copy of the proposed Amended Complaint is attached hereto at Exhibit 1.

As grounds therefor, the plaintiff states that since filing the original Complaint, she has learned that the correct name of the defendant in this matter should be Wal-Mart Stores East, LP and not Wal-Mart Stores, Inc. Accordingly, the plaintiff seeks to amend the Complaint so that the party will be correctly identified and named. The defendant assents to this motion.

WHEREFORE, the plaintiff respectfully requests that her Motion be ALLOWED, and that she be granted leave to file and serve the Amended Complaint.

Respectfully submitted,  
By her Attorneys,

KECHES & MALLIN, P.C.



CHARLOTTE E. GLINKA  
BBO # 559117  
122 Dean Street  
Taunton, MA 02780  
(508) 822-2000

Assented to:

The defendant,  
By its Attorneys,

CRAIG AND MACAULEY, P.C.

  
ANNA L. JOHNSON, ESQUIRE 

BBO # 657123  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, MA 02210  
(617) 367-9500

DATED: August 15, 2005  
Mot-AmdCplt

CERTIFICATE OF SERVICE

I, Charlotte E. Glinka, of Keches & Mallen, P.C., counsel for the plaintiff, hereby certify that on this 15<sup>th</sup> day of August, 2005, I served **Plaintiff's Assented-To Motion to Amend Complaint to Correct Misnomer of Party**, by forwarding copies of same by first-class mail, postage prepaid, to:

Richard E. Quinby, Esquire  
Anna L. Johnson, Esquire  
CRAIG AND MACAULEY, P.C.  
Federal Reserve Plaza  
600 Atlantic Avenue  
Boston, MA 02210

  
CHARLOTTE E. GLINKA *dkd*

CertSrv1/dkd